

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

This application is a division under 37 C.F.R. § 1.53(b) of Application No. 09/127,031 filed July 31, 1998 (the "parent application"), to which Applicants claim priority under 35 U.S.C. § 120. Applicants claim priority under 35 U.S.C. § 119 to Japanese Patent Application Nos. 9-221950 filed August 4, 1997, and 10-179706 filed June 11, 1998. Certified copies of the applications were filed on December 1, 1998, in the parent application. Favorable consideration and acknowledgment of the foregoing is earnestly solicited.

Claims 69 through 76, all newly-presented, are pending, with Claims 69, 72, 75, and 76 being independent. Claims 1 through 68 have been cancelled without prejudice.

It will be appreciated that Claims 69 through 76 have been formulated upon the basis of Claims 83 through 90, which were non-elected in the parent application, with a number of additional amendments having been effected.

Transmitted herewith are two (2) replacement sheets of formal drawings (Figs. 6A, 6B, 6C, 7A, 7B, 7C, 7D, and 7E) to be substituted for the corresponding drawing sheets presently on file in the above-identified application. The new formal drawings include the changes set forth in the Request for Approval to Amend the Drawings filed March 17, 2003, in the parent application, namely, Figs. 6A through 7E have been labeled as --PRIOR ART-- as required in the November 15, 2002 Official Action in the parent application. The new formal

drawings were filed on June 27, 2003 in the parent application. Favorable consideration is earnestly solicited.

In the September 24, 2003 final Official Action in the parent application, Claims 69 through 72 and 77 through 79 were rejected under 35 U.S.C. § 112, 1st paragraph, on the grounds that while the specification is enabling for an optical system having a first optical component which is configured such that a --diameter of a spot size-- near the intermediate image is two or more times a --minimum diameter of a noise source-- near the intermediate image, it does not enable an optical system having a first optical component which is configured such that a “spot size” near the intermediate image is two or more times the “size of a noise source” near the intermediate image. In addition, Claim 71 was rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite on the grounds that it is unclear which component is defined by “V” and “U”. All rejections are respectfully traversed, and are submitted to have been obviated by the replacement of the rejected claims with the presently pending claims which are respectfully believed to avoid the grounds of rejection in that the presently pending claims do not contain the objected-to language. Favorable consideration is earnestly solicited.

Also in the parent application, Claims 69 through 72 and 77 through 79 were rejected under 35 U.S.C. § 103 over previously-applied Japanese Laid-Open Patent Application No. 8-292372 (“JP ‘372”). All rejections are respectfully traversed.

Claims 69 and 72 variously recite, inter alia, that each of the first optical component and the second optical component of the optical element has a refractive surface of rotationally asymmetric shape.

Claims 75 and 76 recite, inter alia, relations wherein b, a minimum resolution settled by the image pickup device, is a parameter.

However, Applicants respectfully submit that JP '372 fails to disclose or suggest at least the above-discussed claimed features as recited, inter alia, in Claims 69, 72, 75, and 76. It is further respectfully submitted that there has been no showing of any indication of motivation in the cited document that would lead one having ordinary skill in the art to arrive at such claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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